

JOSEPH P. RUSSONIELLO (CSBN 44332)
 United States Attorney
 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 MELANIE L. PROCTOR (CSBN 228971)
 Melanie.Proctor@usdoj.gov
 Assistant United States Attorney

ORDER E-FILED 4/1/2008

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-6730
 FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

KAIWEN CAI,)	No. C 07-4886 HRL
)	
Plaintiff,)	
)	
v.)	
)	STIPULATION TO DISMISS; PROPOSED
MICHAEL B. MUKASEY,* Attorney)	ORDER
General; et al.,)	
)	
Defendants.)	

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services has approved Plaintiff's application for adjustment of status.

///

///

///

///

///

*Pursuant to Fed. R. Civ. P. 25(d)(1), Michael B. Mukasey is substituted for his predecessor, Alberto Gonzales, as the United States Attorney General.

STIPULATION
 07-4886 HRL

Each of the parties shall bear their own costs and fees.

Dated: March 28, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorneys for Defendants

Dated: March 27, 2008

/s/
XIA ZHAO, Esq.
Attorney for Plaintiff

~~PROPOSED~~ ORDER

Pursuant to stipulation, IT IS SO ORDERED. All pending deadlines are hereby terminated.
The Clerk shall close the file.

Dated: April 1, 2008


HOWARD R. LLOYD
United States Magistrate Judge

¹ I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this efiled document.